

**RECEIVED**  
**CENTRAL FAX CENTER**

10705665

JUL 02 2004

**FAX TRANSMISSION****OFFICIAL****DATE:** July 2, 2004**PTO IDENTIFIER:** Application Number 09/762,215-Conf. #2898  
Patent Number 6,340,767**Inventor:** Akira Nishiyama et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

**PHONE:** (202) 331-7111**Attorney Dkt. #:** 21581-00240-US**PAGES (including Cover Sheet):** 6**CONTENTS:** Supplemental Response to Non-Final Office Action (4 pages) and  
Certificate of Transmission Under 37 CFR § 1.8 (1 page).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (202) 331-7111 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**CONNOLLY BOVE LODGE & HUTZ LLP**  
1990 M Street, N.W., Suite 800, Washington, DC 20036-3425  
**Telephone:** (202) 331-7111 **Facsimile:** (202) 293-6229

PTO/SB/97 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on July 2, 2004  
Date

Nicole Yun  
Signature

Nicole Yun  
Typed or printed name of person signing Certificate

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Supplemental Response to Non-Final Office Action (4 pages) and  
Certificate of Transmission Under 37 CFR § 1.8 (1 page).

RECEIVED  
CENTRAL FAX CENTER

JUL 02 2004

Docket No.: 21581-000240-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Akira Nishiyama

OFFICIAL

Application No.: 10/705,665

Art Unit: 1621

Filed: November 12, 2003

Examiner: Paul A. Zucker

For: PROCESSES FOR THE PREPARATION OF 5-  
HYDROXY-3-OXOPENTANOIC ACID  
DERIVATIVES

**SUPPLEMENTAL RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated March 19, 2004, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.